

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|-----------------------|---|--------------|
| WAYNE MOYE | : | CIVIL ACTION |
| | : | |
| v. | : | No. 10-1681 |
| | : | |
| BRIAN COLEMAN, et al. | : | |

ORDER

AND NOW, this 9th day of April, 2012, upon careful and independent consideration of Petitioner Wayne Moyer's pro se Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Timothy Rice and Moyer's objections thereto, it is ORDERED:

1. Moyer's objections to the Report and Recommendation are OVERRULED;
2. The Report and Recommendation is APPROVED and ADOPTED;
3. The petition for a writ of habeas corpus is DISMISSED;
4. There is no probable cause to issue a certificate of appealability; and,
5. The Clerk of the Court shall mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.